

**REMARKS**

**Status of the Claims and Amendments to the Claims:**

This amendment cancels originally-filed Claim 15. Claims 1-14 are pending upon entry of this amendment. The claim cancellation is made without prejudice to renewal and is not to be construed as abandonment of any previously claimed subject matter. Please note that Applicants reserve the right to pursue any cancelled subject matter in one or more continuation and/or divisional applications.

**Restriction:**

- I. Claims 1-14, drawn to a method of evolving a protein comprising digesting two DNA molecules which differ by at least one nucleotide, ligating them, and selecting the products for a desired property, classified in class 435, subclass 440.
- II. Claim 15, drawn to an evolved polypeptide, classified in class 530, subclass 350.

**Election:**

Applicants elect Restriction Group I (claims 1-14) without traverse.

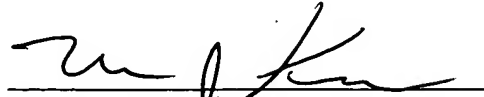
**CONCLUSION**

Applicants are submitting a fee transmittal for a four-month extension of time. It is believed that no additional fees are required. However, if an additional fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 50-0990. Please deduct any additional fees, or credit any overpayment to, the above-noted Deposit Account.

If a telephone conference would expedite prosecution of this application, the Examiner is invited to call the undersigned at 650-298-5399.

Respectfully submitted,

By:



Norman J. Kruse

Reg. No. 35,235

Dated: June 2, 2005

Maxygen, Inc.  
Intellectual Property Department  
515 Galveston Drive  
Redwood City, California 94063  
Telephone: (650) 298-5809  
Facsimile: (650) 298-5446  
Customer No. **30560**